

## REMARKS

### Claim Amendments

Applicants have amended claims 1-3, 7-9, and 13-15. Support for these amendments may be found in the original specification as follows: page 15, line 21, through page 17, line 23, page 78, lines 3-9, and page 82, line 22, through page 83, line 7. In amending claims 1-3, 7-9, and 13-15, Applicants are not conceding in this application that claims 1-3, 7-9, and 13-15 are not patentable over the art cited by the Examiner without the amendments in this paper. Rather, the present claim amendments are only for facilitating expeditious prosecution of the present case. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations or divisional patent applications. Applicants respectfully submit that these amendments do not introduce any new matter into the present application and request that the amendments be entered.

### Claim Rejections – 35 U.S.C. § 103 Over Natsume And Lisetti

Claims 1-18 stand rejected for obviousness under 35 U.S.C. § 103 over Natsume, *et al.* (U.S. Publication No. 2004/0199631) and Lisetti, *et al.* (“MAUL: a multimodal affective user interface”). To render claims 1-18 obvious under 35 U.S.C. § 103, the proposed combination of Natsume and Lisetti must teach or suggest each and every element and limitation of Applicants’ claims. *Manual of Patent Examining Procedure* § 2142 (citing *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974)). As amended, Applicants’ claims include, among other limitations, receiving, within a network, a plurality of device effectiveness records for a first user created in a first domain, each device effectiveness record including information used to evaluate whether particular actions by respective devices were effective in affecting a particular condition of the first user, selecting a device that was effective in affecting the first user’s condition, and notifying a second user in a second domain that the selected device was effective in affecting the first user’s condition to allow the second user to benefit from the effectiveness of the selected device. The Office Action acknowledges that Natsume does

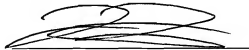
not teach device effectiveness records that include information used to evaluate whether particular actions by respective devices were effective in affecting a particular the first user's condition. The Office Action instead relies on Lisetti to teach these limitations. Lisetti, however, is generally concerned with automated identification of a user's emotional state based on measurable information related to the user—not evaluating whether particular actions by respective devices were effective in affecting a particular condition of the first user. Moreover, neither Natsume or Lisetti goes on to teach that a device is selected that was effective in affecting the first user's condition and that a second user in a second domain is notified that the selected device was effective in affecting the first user's condition to allow the second user to benefit from the effectiveness of the selected device. Because the proposed combination of Natsume and Lisetti does not teach or suggest each and every element and limitation of Applicants' claim, the proposed combination of Natsume and Lisetti does not establish a prima facie case of obviousness against Applicants' claims.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid

Respectfully submitted,

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By:



Thomas D. Fortenberry  
Reg. No. 56,537  
Biggers & Ohanian, LLP  
P.O. Box 1469  
Austin, Texas 78767-1469  
Tel. (512) 472-9881  
Fax (512) 472-9887  
ATTORNEY FOR APPLICANTS